

REMARKS

Claims 1-26 are pending in the application, are rejected, and are at issue.

By this Amendment, the claims are amended so that the terms “relatively low” and “relatively high” are not used. Instead, the gains are specified as a first select gain and a second select gain with the select gain being higher than the first select gain. With respect to impedance change, the claims are amended to specify that the target marker has a smaller impedance change on the transmission line than impedance change of a material being sent.

Applicants disagree that the phrase “to compensate the level time for properties of vapor above the material level” is indefinite and unclear in context. Each claim specifies that the transmission line includes a target marker above an expected sensing region of the probe. As is apparent, the sensing region represents the region proximate level of the material being sensed. The probe would be mounted in a tank or the like. The tank would include vapor of some form above the level of the material being sensed. As discussed in the specification, at page 17, line 19, through page 18, line 9, properties of vapor phase cause velocity of propagation to deviate from calibrated conditions. This deviation is determined using the target time. Thus, the controller uses the target time, which is a measure of changes in vapor properties, to compensate the level time. In the context of the claimed invention, applicants submit that this terminology is clear.

Claim 9 has been amended at line 7 to include an omitted word.

Regarding independent claim 18, applicants disagree that the term “normally operating” is indefinite and unclear in context. The word “normally operating” has its conventional meaning. In the context of the claim, the controller normally operates at the first select gain. The controller periodically operates at the second select gain. From this, in context, it is clear that the

controller normally operates at the first select gain, but periodically operates at the second select gain. No change is required.

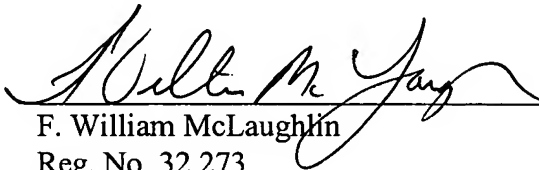
The noted spelling error in claim 19, line 2, has been corrected. Applicants disagree that "operatively associated" is indefinite. There is no requirement that the claims specify that the sampling circuit is associated with the controller for operation therewith to develop a time representation of the reflected signal. It is not required that the claims specify the nature of the connection or if the sampling circuit is part of the controller, but it is sufficient to specify how they operate relative to one another. No change is required.

For the above reasons, applicants submit that claims 1-26 satisfy the requirements of 35 U.S.C. §112, second paragraph, and the rejection should be withdrawn and the claims allowed.

Reconsideration of the application, allowance and passage to issue are requested.

Respectfully submitted,

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